

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q94978

Daisaku OGASAHARA, et al.

Appln. No.: 10/579,484

Group Art Unit: 4173

Confirmation No.: 2974

Examiner: Khalid ABDALLA

Filed: August 2, 2006

For: COMMUNICATION SYSTEM AND COMMUNICATION METHOD

REQUEST FOR CORRECTION OF FILING DATE

ATTN: Office of Initial Patent Examination
Filing Receipt Correction
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-145

Sir:

The USPTO has determined that the filing date of the present application is August 2, 2006, which is the date when all requirements under 35 U.S.C. § 371 were met. For the following reasons, Applicant respectfully requests correction of the filing date of the present application to May 16, 2006.

With the exception of the Oath and Declaration of the inventors, all other requirements under 35 U.S.C. § 371 were met on May 16, 2006. The Oath and Declaration were subsequently filed on August 2, 2006, including the fee required under 37 C.F.R. § 1.495(c)(3),¹ **before** the

¹ This fee is required when filing the Oath and Declaration after the date of commencement of the National Stage.

Office notified the Applicant of the omission (see Notice of Acceptance of Application Under 35 U.S.C. § 371 and 37 C.F.R. § 1.495, dated March 8, 2007).² Therefore, in accordance with 35 U.S.C. § 371(d), 37 C.F.R. § 1.495(c)(1)(ii), and 37 C.F.R. § 1.495(c)(3), Applicant respectfully submits that the filing date of the present application is May 16, 2006, the date of commencement of the national stage, and requests correction of the filing date accordingly.

Furthermore, Applicant respectfully submits that, because the requirements for entering national stage in the United States were met on May 16, 2006 (when the basic national fee was paid and a copy of international application PCT/JP04/17118 was filed), the present application may claim priority based on international application PCT/JP04/17118, having a priority date of November 17, 2003 (see MPEP § 1893.03(b)).

² “The Office will notify the applicant if he or she has omitted ... the oath or declaration of the inventor [and] will set a time period within which applicant must provide [the] omitted ... oath or declaration of the inventor.” 37 C.F.R. § 1.495(c).

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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Date: March 30, 2009